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13 UNITED STATES DISTRICT COURT  
14 SOUTHERN DISTRICT OF CALIFORNIA

15 LEON ALPERT, an individual, on behalf  
16 of himself, on behalf of all those similarly  
17 situated, and on behalf of the general  
18 public,

19 Plaintiffs,

20 v.

21 TIME WARNER CABLE, INC., a  
22 Delaware corporation, and DOES 1 TO  
23 100,

24 Defendants.

CV No. 08 CV 0582 BTM WMc

**DECLARATION OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is DLA Piper US LLP, 401 B Street, Suite 1700, San Diego, California 92101-4297. On April 4, 2008, I served the within document(s): **Please see attached list of documents served**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Diego, California addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, and deposited with Federal Express or UPS Overnight at San Diego, California addressed as set forth *and indicated* below.
- ☒ by transmitting the documents listed above electronically *by written agreement of counsel*.

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(Via Electronic Mail)

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit. I further declare that I am familiar with the firm's practice for collection and processing of correspondence for Federal Express and United Parcel Service, and that all correspondence will be deposited with Federal Express or United Parcel Service the same day during the ordinary course of business.

I declare that I am a member of the Bar and permitted to practice before this Court.

Executed on April 4, 2008, at San Diego, California.



Carrie S. Dolton

*Alpert, et al., v. Time Warner Cable, Inc., et al.,*

U.S.D.C., S.D. Cal. No. 08CV582 BTM

**LIST OF DOCUMENTS SERVED**

1. NOTICE OF MOTION AND MOTION OF DEFENDANT TIME WARNER CABLE FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

2. MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

3. SEPARATE STATEMENT OF UNDISPUTED FACTS IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

4. REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

5. DECLARATION OF TERRI RHODES IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

6. DECLARATION OF JULIE L. HUSSEY IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT

7. NOTICE OF LODGMENT OF EXHIBITS AND NON-CALIFORNIA AUTHORITIES IN SUPPORT OF DEFENDANT TIME WARNER CABLE'S MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, PARTIAL SUMMARY JUDGMENT